



PATENT

DECLARATION, POWER OF ATTORNEY, AND PETITION

I, Herbert R. Radisch, Jr., declare: that I am a citizen of the United States of America; that my residence and post office address is 12680 Belle Fleur Way, San Diego, California 92128; that I verily believe I am the original, first, and sole inventor of the subject matter of the invention or discovery entitled APPARATUS FOR SUPPORTING A SEGMENTED BLADE ON A BALLOON CATHETER, for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 10/ 683,893 on October 10, 2003. (I hereby authorize the attorneys of Nydegger & Associates to insert said serial number and filing date when known); that I have reviewed and understand the contents of the above-identified specification, including the claims; and that I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending application, Serial No. 09/938,010, filed August 23, 2001; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as my attorneys NEIL K. NYDEGGER, Registration No. 30,202; MATTHEW K. HILLMAN, Registration No. 45,892; and WAYNE M. CHANCELLOR, Registration No. 51,249, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

Neil K. Nydegger, Esq.
NYDEGGER & ASSOCIATES
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Telephone: 619-688-1300
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Wherefore, I pray that a letters patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at San Diego, California, this 4th day of November, 2003.

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Docket: 10745.137.1